

Use a plus sign (+) inside this box → ☐

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 38-10(15820)B  
First Inventor Georg Jander  
Title Plants with Imidazolinone-Resistant ALS  
Express Mail Label No.

PTO  
10/004827

12/07/01

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 38]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Pages 2]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper
  - c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

Prior application information: Examiner \_\_\_\_\_

of prior application No. \_\_\_\_\_ / .....

Group / Art Unit: .....

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

27161

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Connie Caron/Andrew S. Brenc

Registration No. (Attorney/Agent)

48,131/45,534

Signature

*Andrew S. Brenc for Connie Caron*

Date

December 7, 2001

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 954

## Complete if Known

Application Number

Filing Date

December -7, 2001

First Named Inventor

Georg Jander

Examiner Name

Group Art Unit

Attorney Docket No.

38-10(15820)B

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit  
Account  
Number

13 - 4125

Deposit  
Account  
Name

Monsanto Company

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check☐ Credit card☐ Money  
Order☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

101 740 201 370 Utility filing fee

106 330 206 165 Design filing fee

107 510 207 255 Plant filing fee

108 740 208 370 Reissue filing fee

114 160 214 80 Provisional filing fee

Fee Paid

740

SUBTOTAL (1) (\$ 740

## 2. EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid

Total Claims 16 -20\*\* = 0 X 18 = 0

Independent Claims 4 -3\*\* = 1 X 84 = 84

Multiple Dependent \_\_\_\_\_ = \_\_\_\_\_

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 84 202 42 Independent claims in excess of 3

104 280 204 140 Multiple dependent claim, if not paid

109 84 209 42 \*\* Reissue independent claims  
over original patent110 18 210 9 \*\* Reissue claims in excess of 20  
and over original patent

SUBTOTAL (2) (\$ 84

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$)

Fee Description

Fee Paid

105 130 205 65 Surcharge - late filing fee or oath

130

127 50 227 25 Surcharge - late provisional filing fee or  
cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for *ex parte* reexamination112 920\* 112 920\* Requesting publication of SIR prior to  
Examiner action113 1,840\* 113 1,840\* Requesting publication of SIR after  
Examiner action

115 110 215 55 Extension for reply within first month

116 400 216 200 Extension for reply within second month

117 920 217 460 Extension for reply within third month

118 1,440 218 720 Extension for reply within fourth month

128 1,960 228 980 Extension for reply within fifth month

119 320 219 160 Notice of Appeal

120 320 220 160 Filing a brief in support of an appeal

121 280 221 140 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,280 241 640 Petition to revive - unintentional

142 1,280 242 640 Utility issue fee (or reissue)

143 460 243 230 Design issue fee

144 620 244 310 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Processing fee under 37 CFR 1.17(q)

126 180 126 180 Submission of Information Disclosure Stmt

581 40 581 40 Recording each patent assignment per  
property (times number of properties)146 740 246 370 Filing a submission after final rejection  
(37 CFR § 1.129(a))149 740 249 370 For each additional invention to be  
examined (37 CFR § 1.129(b))

179 740 279 370 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination  
of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130

## SUBMITTED BY

Name (Print/Type)

Connie M. Caron

Registration No.  
(Attorney/Agent)

48,131

Complete (if applicable)

Telephone

617-551-8241

Signature

Connie M. Caron

Date

12-5-2001

**WARNING:** Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on  
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC  
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# ARNOLD & PORTER

202.942.5000  
202.942.5999 Fax

555 Twelfth Street, NW  
Washington, DC 20004-1206

J1131 U.S. PTO  
12/07/01

December 7, 2001

## Box Provisional Patent Application

Commissioner for Patents  
Washington, DC 20231

Re: U.S. Patent Application  
Appln. No.: To be Assigned  
Filed: Herewith  
For: ***Plants with Imidazolinone-Resistant ALS***  
Inventors: JANDER *et al.*  
Atty Docket: 38-10(15820)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.

Patent and Trademark Office (PTO):

1. Patent Patent Application Transmittal (PTO/SB/05);
2. Fee Transmittal Form (PTO/SB/17);
3. U.S. Patent Application entitled:

### **Plants with Imidazolinone-Resistant ALS**

and naming as inventors:

**Georg JANDER, Timothy P. DURRETT, and Scott R. BAERSON;**

the application consisting of:

- a. a specification containing:
  - (i). 34 pages of a description prior to the claims;
  - (ii). 3 pages of claims (16 claims);
  - (iii). 1 page of drawings (Figures 1 and 2);
  - (iv). a one (1) page abstract;
  - (v). a paper copy of the sequence listing (22 pages);
4. a sequence listing in Computer Readable Form (CRF), on floppy diskette;
5. a Statement Regarding Sequence Submission;

---

# ARNOLD & PORTER

---

Commissioner for Patents  
Atty. Dkt.: 38-10(15820)B  
December 7, 2001  
Page 2

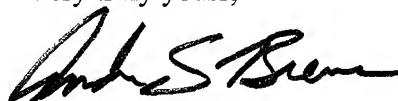
6. an original Combined Declaration and Power of Attorney (2 pages) executed by Georg Jander and Timothy P. Durrett;
7. an original Combined Declaration and Power of Attorney (2 pages) executed by Scott R. Baerson;
8. two (2) return postcards.

Submitted herewith is a sequence listing in Computer Readable Form (CFR), on floppy diskette.

The sequence listing in Computer Readable Form (CRF) contains one file called "38-10(15820)B CFR.txt" which is 32,780 bytes in size (measured in MS-DOS) and was created on December 5, 2001.

Please stamp one of two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

Very truly yours,



Connie Caron (Reg. No. 48,131)  
Andrew S. Brenc (Reg. No. 45,534)

for  
Connie  
Caron

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of	)	
Georg Jander <i>et al.</i>	)	Art Unit: To Be Assigned.
	)	
Serial No. To Be Assigned	)	Examiner: To Be Assigned.
	)	
Filed: December 7, 2001	)	Docket No.: 38-10 (15820)B
	)	
For: Plants with Imidizolinone-Resistant ALS	)	
	)	

Statement Regarding Sequence Submission

Commissioner for Patents  
Washington, DC 20231

Sir:

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above-mentioned application are the same.

Respectfully submitted,

*Connie M Caron*

Connie M. Caron  
Reg. No. 48,131